

EXHIBIT “A-3”

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NATIONAL OILWELL VARCO V. GARZA

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41-44

<p style="text-align: right;">Page 41</p> <p>1 letter.</p> <p>2 Q. So this is -- this is an email from</p> <p>3 Array's HR department dated Friday, April 22nd,</p> <p>4 2022, at 11:15 in the morning that says they are</p> <p>5 making you a conditional offer of employment and</p> <p>6 there's information on how to click on the offer</p> <p>7 letter in this email, correct?</p> <p>8 A. Correct. That is correct, yes, sir.</p> <p>9 (Exhibit Number 5 marked.)</p> <p>10 Q. (BY MR. LAPP) Let me hand you what's</p> <p>11 been marked as Exhibit 5.</p> <p>12 A. Okay.</p> <p>13 Q. Let me ask you if you can identify</p> <p>14 that.</p> <p>15 A. That is my resignation letter to</p> <p>16 Mr. Whitnell.</p> <p>17 Q. And it's dated April 21st, 2022,</p> <p>18 correct?</p> <p>19 A. Correct.</p> <p>20 Q. So back to my question about Exhibit 2.</p> <p>21 A. Uh-huh.</p> <p>22 Q. The download you made on April 22nd --</p> <p>23 Q. Right.</p> <p>24 A. -- was after you had written to</p> <p>25 Mr. Whitnell telling him you were resigning,</p>	<p style="text-align: right;">Page 43</p> <p>1 21st. It was on a Friday. This is Thursday,</p> <p>2 right? Was the 21st a Thursday?</p> <p>3 Q. Yes.</p> <p>4 A. Because I recall talking to Ed on a</p> <p>5 Friday.</p> <p>6 Q. If Ed recalled you talking to him on</p> <p>7 Thursday, would you disagree with that?</p> <p>8 A. I would, sir. It's -- I believe I sent</p> <p>9 him a Teams message so we could check when we</p> <p>10 spoke, the exact day.</p> <p>11 Q. In any event, you completed your</p> <p>12 interviews with Array on the 19th.</p> <p>13 A. Right.</p> <p>14 Q. You felt they had gone well. You sent</p> <p>15 an email to that effect, correct?</p> <p>16 A. Correct.</p> <p>17 Q. And you got a formal offer from Array</p> <p>18 on the 22nd, correct?</p> <p>19 A. Correct.</p> <p>20 Q. Now, you wrote this letter on the 21st,</p> <p>21 so you must have felt pretty comfortable that you</p> <p>22 were going to get an offer from Array before you</p> <p>23 resigned from NOV, correct?</p> <p>24 A. I had a verbal, that's why I wrote it.</p> <p>25 Q. So you knew on the 22nd, when you</p>
<p style="text-align: right;">Page 42</p> <p>1 correct?</p> <p>2 A. Correct. That was the night before,</p> <p>3 yes.</p> <p>4 Q. We talked earlier today about the fact</p> <p>5 that you claim that you routinely made downloads</p> <p>6 and so forth on an external storage device.</p> <p>7 A. Correct.</p> <p>8 Q. Do you recall that testimony?</p> <p>9 A. Yes.</p> <p>10 Q. And I was asking you questions about</p> <p>11 whether you downloaded information from NOV onto</p> <p>12 a storage device that you took with you when you</p> <p>13 left NOV. Do you recall that question?</p> <p>14 A. Correct.</p> <p>15 Q. Everything that's on this Exhibit 2 you</p> <p>16 downloaded onto an external storage device that</p> <p>17 you took with you when you left NOV, correct?</p> <p>18 A. It seems so, yes.</p> <p>19 Q. Including the document that you</p> <p>20 downloaded after you had resigned.</p> <p>21 A. Well, I resigned on the 22nd. This</p> <p>22 is -- I wrote this the night before.</p> <p>23 Q. And you had talked to Ed on the 21st</p> <p>24 and told him you were resigning, correct?</p> <p>25 A. I believe it was on the 22nd, not the</p>	<p style="text-align: right;">Page 44</p> <p>1 downloaded that last file, that you were going to</p> <p>2 work for Array and were going to quit NOV, right?</p> <p>3 A. Correct.</p> <p>4 Q. So the file downloads that happened on</p> <p>5 the 20th, on April 20th, and there are at least</p> <p>6 reflected on this Exhibit 2, beginning on line 5,</p> <p>7 and going all the way down to line 41, all those</p> <p>8 occurred on April 20th, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And that was after you included your</p> <p>11 interviews with Array and felt they had gone</p> <p>12 well, true?</p> <p>13 A. Correct.</p> <p>14 Q. Mr. Garza, some of the information that</p> <p>15 you downloaded, as reflected on Exhibit 2, were</p> <p>16 things like calculators and tools and things like</p> <p>17 that, correct?</p> <p>18 A. Correct.</p> <p>19 Q. However, some were not, right?</p> <p>20 A. Some may be, correct.</p> <p>21 Q. And, in fact, included information that</p> <p>22 by definition of the agreement you had with NOV</p> <p>23 was company confidential information, correct?</p> <p>24 MR. ISRAEL: Object to form.</p> <p>25 A. According to the definition, yes.</p>